

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IVAN CLEVELAND,

No. C 13-02914 SBA (PR)

Petitioner,

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

v.

STATE OF CALIFORNIA, et. al,

Respondents.

On June 24, 2013, Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed, the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within twenty-eight days or his action would be dismissed.

More than twenty-eight days have passed and Petitioner has not paid the filing fee, returned the in forma pauperis application or otherwise communicated with the Court.

IT IS HEREBY ORDERED THAT this action is DISMISSED WITHOUT PREJUDICE. The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Petitioner's case. The Clerk of the Court shall close the file.

IT IS SO ORDERED.

DATED: 8/28/13

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge